

2012 HOY 26 PH 4: 04

Caroline C. Hunter

OFFICE OF GENERAL Federal Election Commission COUNSEL

999 E Street, N.W.

Washington, D.C. 20463

RECEIV! FEC MAIL CENTER MUR# 6698

Complaint: Pursuant to 11 C.F.R. 111.4

Dear Madam Chair:

I am a resident and voter in the Third Congressional District of Louisiana. As you know, Congressman Jeff Landry and Congressman Charles Boustany are candidates in the run-off election to be held on December 8, 2012 in the new Third Congressional District.

Upon information and belief, on or about November 1, 2012, a state political committee called "United Ballot PAC" caused to be sent through the United States Postal Service, a flyer entitled "A United Ballot Message to Voters." This mailing was, upon information and belief, sent to all mail addresses in the new Third Congressional District. The actual number of this malling as sent and the printing and postage cost incurred are unknown. This flyer was malled from Lafayette, LA under USPS Permit # 547. The flyer specifically advocated to election of federal candidates Barak Obama and Congressman Charles Boustany in the November 6, 2012 election. The flyer contained words of "express advocacy" whose meaning was clear on its face and unambiguous.

United Ballot PAC was initially registered with the Louisiana Board of Elections in 2004. Upon information and belief, this committee has never registered with the Federal Election Commission, despite spending in excess of \$1000 expressly advocating the election of identified federal candidates. United Ballot PAC uses as an address Post Office Box 2215, Lafayette, LA 70502. The phone number listed for the PAC is 337-234-8004 and their email address is "unitedballot@yahoo.com." The president of United Ballot PAC is Elroy Broussard Mr. Broussard is Chairman of the Lafayette Parish Board of Zoning and Adjustment. The treasurer of the United Ballot PAC is Karen Babineaux. It appears that her phone number is

As the Commission knows, 11 C.F.R. 110.11(b) and (c)(2) requires that printed communications emanating from a political committee must include a disclaimer showing the name and address of the committee responsible for the printed communication. As you will note from the attached mailing, NO **DISCLAIMER** was provided by the United Ballot PAC on this printed communication. Thus, there has been a prima facie violation of the statutory disclaimer requirement found at 2 United States Code 441d. In addition, upon information and belief, United Ballot PAC expended in excess of \$1000 on this "express advocacy" mailing without filing as a federal political committee with the Federal Election Commission. As to the cost to the United Ballot PAC for this mailing, an approximate cost can be determined from a substantially similar mailing that this committee mailed in 2011. The United Ballot PAC disclosed to the state of Louisiana that the cost of that mailing was \$1456.95. It was described by the PAC as a "push card mail out." Since the United Ballot PAC has not registered with the federal election commission and merely operates pursuant to state law, funds used by the United Ballot PAC to prepare and distribute the attached "United Ballot Message to Voters" of on or about November 1,

2012, were, by definition, not derived from sources and in amounts consistent with the Federal Election Campaign Act of 1974, as amended.

For these reasons, I believe that the Commission has sufficient evidence to determine a "reason to believe" that multiple violations of the statute have occurred with respect to this particular written communication. As a consequence, I ask that the Commission waive the need for an 'investigation" at this stage and make a determination that the stature has been, on its face, violated by the United Ballot PAC for the benefit of the Charles Boustany's re-election committee with respect to this mailing. Lastly, we ask the Commission to civilly penalize both the United Ballot PAC and the Boustany committee for these egregious statutory violations.

Should you have any additional questions, please do not hesitate to contact me directly.

With best wishes,

Sincerely,

NOTARY:

SWORN TO AND SUBSCRIBED BEFORE ME

P.O. BOX 157 PATTER SON, LA 70398

THIS 23 DAY OF NOVE 1-86 1 20 /2

Encl: "A united Ballot Message to Voters" Mailer Paid For by the United Ballot PAC...

PRSRT STD
U.S. POSTAGE
PAID
Lafayette, LA
Permit No. 547

United Ballot 2012

Re-elect President Barack Obama (Democrat) U.S. Rep Charles W. Boustany Jr (#12 on ballot)

Statewide

	LRCA Amendment 1	Health care	Would protect the state medicaid trust fund for the elderly from budget cuts.	YES
	LRCA Amendment 2	Firearms	Adds additional constitutional protections to state gun rights.	2
	LRCA Amendment 3	Admin. of Gov't	Would require more advance filing for bills involving public employee retirement	YES
	LRCA Amendment 4	Taxes	Would provide property tax exemptions to certain veterans spouses:	YES
1	URCA Amendment 5	smen .	Would allow the legislature to deny retrement benefits to any public employee or official who commits a felony related to their office.	ON
	LRCA Amendment 6	Такеѕ	Would authorize the city of New Iberia to grant contracts for exemption of property annexed by city	Ž
	LRCA Amendment 7 Admin. of Gov't	Admin. of Gov't	Administration of Gov't Restructures the composition of constitutional boards and commissions	YES
	. IRCA Amendment 8	saxe1	Would allow focal governments to optimize property . 23V	YES
	LRCA Amendment 9	swej	Would establish certain requirements prior to legislatively creating certain special districts	YES

Local.

PW City-Parish Council	Airport	1.71 Mill - PC - 10 Yrs	YES
PW City-Parish Council	Drainage	3.34 Mills - PC - 10 Yrs	YES
PW City-Parish Council	Library	2 Mill - PC - 10 Yrs	YES
PW Cons. School Dist.	Schools	16.7 Mills - 58 - 10 Yrs	YES
City of Lafayette	Fire	2 Mill - PC - 10 Yrs	YES
City of Lafayette	Police	, 3 Mill - P.C - 10 Yrs	YES

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A United Ballot Message to Voters

They don't want you to vote this Tuesday. Our future depends - on **YOU** casting **YOUR** vote on **TUESDAY, NOVEMBER 6, 2012.** Polls will open from 6:00 a.m. to 8:00 p.m. Please take the time to vote.

Don't let anyone tell you that your vote doesn't matter. It does. It matters not only to you, but to our future generations.

This election will determine what path we take for the next four years in healthcare, education and economic development. That path will impact our lives for decades to come. Let your voice be heard.

We will only move forward if **You VOTE** this **TUESDAY.** Remember, "A Voteless People is a Hopeless People" Let us continue to move our community and country FORWARD!

K. Babineaux, Treasurer United Ballot PAC Call 408-3891 for a Ride to the Polls unitedballot@yahoo.com

